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LETTER DATED 2 JUNE 1995 FROM THE PERMANENT REPRESENTATIVE OF THE RUSSIAN FEDERATION TO THE UNITED NATIONS ADDRESSED TO THE PRESIDENT OF THE SECURITY COUNCIL

As a representative of the State which presides over the statutory bodies of the Commonwealth of Independent States (CIS), I have the honour to transmit herewith the texts of the decision on the extension of the length of stay of the Collective Peace-keeping Forces in the Republic of Tajikistan (annex I), the decision on the extension of the length of stay of the Collective Peace-keeping Forces in the conflict zone in Abkhazia, Republic of Georgia (annex II), the decision on a more precise definition and extension of the mandate of the Collective Peace-keeping Forces in the conflict zone in Abkhazia, Republic of Georgia (annex III), and the statement by the Council of Heads of State of the Commonwealth of Independent States concerning the conflict in Abkhazia, Republic of Georgia (annex IV), adopted by the heads of the States members of CIS in Minsk on 26 May 1995.

I should be grateful if this letter and the annexes to it were circulated as a document of the Security Council.

(Signed) S. LAVROV

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Annex I

Decision on the extension of the length of stay of the Collective Peace-keeping Forces in the Republic of Tajikistan

The Heads of the States taking part in this decision,

Guided by paragraph 2 of the decision on the establishment of collective peace-keeping forces and the commencement of their operation of 24 September 1993,

Noting the stabilizing role of the Collective Peace-keeping Forces situated in the territory of the Republic of Tajikistan in preventing large-scale armed clashes and ensuring safe and tranquil living conditions for the civilian population,

In connection with the appeal by the President of the Republic of Tajikistan to extend the length of stay of the Collective Peace-keeping Forces in the territory of that Republic,

Have decided:

1. To extend until 31 December 1995 the length of stay of the Collective Peace-keeping Forces in the Republic of Tajikistan;

2. To recommend that the leaders of the Republic of Tajikistan should take immediate steps to bring about a political settlement of the situation in the Republic.

DONE at Minsk on 26 May 1995 in one authentic copy in the Russian language. The authentic copy shall be kept in the Executive Secretariat of the Commonwealth of Independent States, which shall send to each State that has signed this decision its certified copy.

For the Republic of Armenia
L. TER-PETROSYAN

For the Azerbaijan Republic

For the Republic of Belarus
A. LUKASHENKO

For the Republic of Georgia
E. SHEVARDNADZE

For the Republic of Kazakstan
N. NAZARBAEV

For the Kyrgyz Republic
A. AKAEV

For the Republic of Moldova

For the Russian Federation
B. YELTSIN

For the Republic of Tajikistan
E. RAKHMONOV

For Turkmenistan

For Ukraine

For the Republic of Uzbekistan
A. KARIMOV

Annex II

Decision on the extension of the length of stay of the Collective Peace-keeping Forces in the conflict zone in Abkhazia, Republic of Georgia

The Council of Heads of State of the Commonwealth of Independent States,

Expressing concern, in connection with the protracted nature of the final settlement of the conflict in Abkhazia, Republic of Georgia,

Upholding steadfastly the territorial integrity of the Republic of Georgia,

Noting the stabilizing role of the Collective Peace-keeping Forces in preventing armed clashes, ensuring the safety of the population and creating the appropriate conditions for continuing the Georgian-Abkhaz dialogue,

Taking into consideration the request by the Abkhaz side of 12 April 1995 and by the Georgian side of 20 April 1995 to extend the length of stay of the Collective Peace-keeping Forces in the conflict zone,

Taking into account the readiness of the parties to the conflict to continue the political dialogue for settling the conflict,

Have decided:

To extend the length of stay of the Collective Peace-keeping Forces in the conflict zone in Abkhazia, Republic of Georgia, until 31 December 1995.

This decision shall enter into force at the time of its signature.

DONE at Minsk on 26 May 1995 in one authentic copy in the Russian language. The authentic copy shall be kept in the Executive Secretariat of the Commonwealth of Independent States, which shall send to each State that has signed this decision its certified copy.

For the Republic of Armenia
L. TER-PETROSYAN

For the Azerbaijan Republic
G. ALIEV

For the Republic of Belarus
A. LUKASHENKO

For the Republic of Georgia
E. SHEVARDNADZE

For the Republic of Kazakstan
N. NAZARBAEV

For the Kyrgyz Republic
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B. YELTSIN

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E. RAKHMONOV

For Turkmenistan

For Ukraine

For the Republic of Uzbekistan
A. KARIMOV

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Annex III

Decision on a more precise definition and extension of the mandate of the Collective Peace-keeping Forces in the conflict zone in Abkhazia, Republic of Georgia

The Council of Heads of State of the Commonwealth of Independent States has decided:

1. To define more precisely the mandate of the Collective Peace-keeping Forces in the conflict zone in Abkhazia, Republic of Georgia (the new wording of the mandate is attached in an annex).

2. To extend the period of validity of that mandate until 31 December 1995.

DONE at Minsk on 26 May 1995 in one authentic copy in the Russian language. The authentic copy shall be kept in the Executive Secretariat of the Commonwealth of Independent States, which shall send to each State that has signed this decision its certified copy.

For the Republic of Armenia
L. TER-PETROSYAN

For the Azerbaijan Republic
G. ALIEV

For the Republic of Belarus
A. LUKASHENKO

For the Republic of Georgia
E. SHEVARDNADZE

For the Republic of Kazakstan
N. NAZARBAEV

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A. AKAEV

For the Republic of Moldova

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B. YELTSIN

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E. RAKHMONOV

For Turkmenistan

For Ukraine

For the Republic of Uzbekistan
A. KARIMOV

Enclosure

Mandate of the Collective Peace-keeping Forces in the conflict zone in Abkhazia, Republic of Georgia

In accordance with the decisions of the Council of Heads of State of the Commonwealth of Independent States (CIS) concerning the use of the Collective Peace-keeping Forces, a peace-keeping operation is being conducted in the conflict zone in Abkhazia, Republic of Georgia.

The tasks assigned to the Collective Peace-keeping Forces with respect to the separation of the armed forces of the parties to the conflict and a cease-fire on land, at sea and in the air have been implemented.

CIS peace-keeping troops and military observers of the United Nations Observer Mission in Georgia have been deployed in the conflict zone.

In accordance with the Agreement on a Cease-fire and Separation of Forces of 14 May 1994, a security zone, a restricted weapons zone and a control zone have been established, in which specific levels of armaments and personnel have been agreed and determined.

The Collective Peace-keeping Forces will implement the tasks entrusted to them in pursuit of a comprehensive settlement of the conflict in Abkhazia, Republic of Georgia, particularly by facilitating the return of refugees to their former places of permanent residence in conditions of safety and dignity and by ensuring observance of the norms of international humanitarian law and human rights; assistance in mine clearance will also continue to be provided.

1. In accordance with the decision of the Council of Heads of State concerning the definition and extension of the mandate of the Collective Peace-keeping Forces in the conflict zone in Abkhazia, Republic of Georgia, the duration of the operation shall be extended from 26 May 1995 until 31 December 1995.

The duration of the mandate may be extended by a decision of the Council of Heads of State of the Commonwealth of Independent States.

2. Troops and resources shall be assigned to the Collective Peace-keeping Forces to enable them to implement the decision taken by the Council of Heads of State of the Commonwealth of Independent States on 21 October 1994 to reaffirm the mandate for the deployment of a peace-keeping operation in the Georgian-Abkhaz conflict zone.

3. A Group of Military Observers shall be established to monitor compliance with the obligations assumed by the parties under the Agreement on a Cease-fire and Separation of Forces of 14 May 1994.

4. From the time of adoption of the decision to assign troop contingents to the Collective Peace-keeping Forces and the Group of Military Observers until their arrival in the conflict zone, the States deploying the contingents and observers shall be responsible for the training of personnel, the provision of

material resources and technical equipment and the defrayal of expenses, including the cost of transport to the area of the operation.

5. The Collective Peace-keeping Forces and the Group of Military Observers shall be assigned the tasks specified in the decisions of the Council of Heads of State of the Commonwealth of Independent States, other instruments adopted by the Commonwealth of Independent States concerning peacemaking activities, the Agreement on a Cease-fire and Separation of Forces of 14 May 1994 and the Quadripartite Agreement on Voluntary Return of Refugees and Displaced Persons of 4 April 1994, that is to say:

(a) Ensuring strict observance of the cease-fire, the restoration of peace and the prevention of a renewed outbreak of hostilities in the conflict zone through separation of the armed units of the parties to the conflict;

(b) Facilitating the return to their former places of permanent residence, in conditions of safety and dignity, of persons who left the conflict zone and the implementation of other provisions of the Quadripartite Agreement on Voluntary Return of Refugees and Displaced Persons of 4 April 1994, including the activities of the Quadripartite Commission set up in accordance with the above-mentioned Agreement;

(c) Monitoring compliance by the parties with the agreements reached between them, in particular the provisions of the Memorandum of Understanding of 1 December 1993, the communiqué on the second round of negotiations of 13 January 1994, the Declaration on Measures for a Political Settlement of the Georgian-Abkhaz Conflict of 4 April 1994, the Agreement on a Cease-fire and Separation of Forces of 14 May 1994 and any other agreements reached by the parties in the process of achieving a comprehensive political settlement;

(d) Supporting the reconstruction of areas affected by the hostilities through, inter alia, humanitarian assistance, mine clearance and the reconstruction of the population's basic life-support systems;

(e) Ensuring the safety of such key life-support installations as the Inguri hydroelectric power station and others;

(f) Ensuring compliance with the norms of international humanitarian law and human rights;

(g) Cooperating closely with the personnel of the United Nations Observer Mission in Georgia and other United Nations personnel in the region;

(h) Exercising control over the disbandment and withdrawal of all voluntary armed units composed of persons coming from beyond the borders of Abkhazia;

(i) Exercising control over heavy military equipment, in cooperation with the United Nations Observer Mission in Georgia.

By decision of the Commander of these forces and following agreement with the leadership of the two parties to the conflict, the Collective Peace-keeping

Forces and the Group of Military Observers may also address other tasks in the course of the operation in the conflict zone, seeking through such initiatives to promote and strengthen peace between the opposing sides.

6. The Commander of the Collective Peace-keeping Forces in the conflict zone (hereinafter referred to as the Commander) shall be under the authority of the Council of Heads of State of the Commonwealth of Independent States. In respect of questions requiring a rapid decision, he shall consult with the Chairman of the Council of Ministers for Foreign Affairs of the States members of the Commonwealth and the Chairman of the Council of Ministers of Defence of the States Members of the Commonwealth of Independent States, directly supervise the conduct of peace-keeping operations and be the direct head of the entire personnel of the Collective Peace-keeping Forces.

7. The States members' military contingents assigned to the Collective Peace-keeping Forces and the Group of Military Observers shall come under the authority of the Commander upon their arrival in the area of the operation and notification by the commanders (heads) of those contingents concerning their arrival.

8. A unified headquarters with subdivisions for security, communications, supplies and maintenance staffed by the armed forces of the States participating in the operation shall be established in order to direct the Collective Peace-keeping Forces and the Group of Military Observers.

The Commander shall determine the structure of the unified headquarters and the support subdivisions. He shall have the right to make the necessary changes in the structure of the headquarters within the limits of the number of personnel provided.

9. The duties of the Commander of the Collective Peace-keeping Forces shall include:

Implementation of decisions by the Council of Heads of States of the Commonwealth on the conduct of the peace-keeping operation in the conflict zone;

Submission of reports to the heads of State, Ministers for Foreign Affairs and Ministers of Defence on the fulfilment of the tasks assigned to the Collective Peace-keeping Forces and observance by the parties to the conflict of the agreements relating to the operation;

Supervision of the Collective Peace-keeping Forces and the Group of Military Observers in the preparation and conduct of the peace-keeping operation in the conflict zone;

Organization and supervision of the training of subordinate headquarters' staff and the units and sub-units of the Collective Peace-keeping Forces and the Group of Military Observers;

Organization and maintenance of cooperation with the leaders of the receiving State and the parties to the conflict, the Ministries of Defence of the States participating in the operation and the headquarters in coordinating

military cooperation by the States members of the Commonwealth of Independent States and the local authorities with the United Nations Observer Mission in Georgia (UNOMIG) and the representatives of the Organization for Security and Cooperation in Europe and the other international organizations in the conflict zone;

Holding of negotiations with the representatives of the parties to the conflict;

Maintenance of communication and the holding of official meetings between representatives of the parties to the conflict and ensuring their security;

Administration of the financial, material and technical resources allocated for maintaining the Collective Peace-keeping Forces and the Group of Military Observers.

10. Throughout the entire period in which the peace-keeping operation is conducted in the conflict zone, the States which have sent military contingents to the zone shall provide their personnel with the entitlements, compensation, increments and allowances provided for under the legislation in force in those States.

11. The military contingents assigned to the Collective Peace-keeping Forces in the conflict zone and the Group of Military Observers shall respect and observe the provisions of the Agreement on Military Observer Groups and Collective Peace-keeping Forces in the Commonwealth of Independent States of 20 March 1992 and the Protocols of 15 May 1992 on the status of military observer groups and collective peace-keeping forces in the Commonwealth of Independent States; the staffing, structure and logistic and financial support of the military observer group and the collective peace-keeping forces in the Commonwealth of Independent States; and the provisional arrangements for the formation and deployment of military observer groups and collective peace-keeping forces in areas of conflict between and within the States members of the Commonwealth of Independent States and shall also observe and respect the Geneva Conventions of 12 August 1949 for the protection of war victims and the Protocols additional to them of 8 June 1977 and the Convention for the Protection of Cultural Property in the Event of Armed Conflict of 14 May 1954.

Annex IV

Statement by the Council of Heads of State of the Commonwealth of Independent States concerning the conflict in Abkhazia, Republic of Georgia

Over 18 months have gone by since the process of a comprehensive settlement of the armed conflict in Abkhazia, Republic of Georgia, began. Despite the peacemaking efforts of the Russian Federation and the Commonwealth of Independent States (CIS) as a whole, and also of the United Nations and the Organization for Security and Cooperation in Europe (OSCE), this process is far from complete.

The conflict has caused the deaths of thousands of people, mostly civilians. Over 300,000 people have been forced to leave their homes. Almost the entire Georgian population, constituting 47 per cent of the inhabitants of Abkhazia, is now outside the borders of Abkhazia.

In a special resolution, the Budapest summit meeting of OSCE expressed grave concern about ethnic cleansing, the mass expulsion of the population - primarily Georgian - from their homes and the deaths of a large number of innocent civilians.

In its resolution 993 (1995), the United Nations Security Council noted the continued obstruction of the return of refugees and displaced persons by the Abkhaz authorities.

The Council of Heads of State of CIS supports the measures taken by the Russian Federation to settle the conflict in Abkhazia and is prepared to provide whatever assistance it can in this respect. The Council is convinced that the extension of the mandate of the peace-keeping forces in Abkhazia with the amendments made to it will create the necessary conditions for the safe, voluntary and dignified return of all refugees and displaced persons at an early date and will contribute to a comprehensive settlement of the conflict in Abkhazia. The Council believes that, as the settlement is put into effect, fundamental human rights, regardless of nationality, origin and religious or other affiliation, must be respected.

The elimination of this conflict and of its consequences would be a significant achievement for multiethnic Georgia, a victory for the reason and maturity of the Commonwealth, and a major contribution to stabilizing the situation in Transcaucasia and throughout CIS.

The Council of Heads of State:

1. Affirming its commitment to the territorial integrity of the Republic of Georgia, advocates that the talks should be continued and brought to an early conclusion and calls upon the parties to the conflict to strive for a comprehensive settlement of it within the framework of a unified federative State.

2. Welcomes the readiness of the Republic of Georgia to hold consultations on its new Constitution, which would be the basis for an appropriate resolution of all the contentious issues of State organization.

3. Upholds the need to implement its decision to send observers from its countries to the conflict zone in Abkhazia.

4. Guided by the provisions of the Almaty memorandum of 10 February 1995 on overcoming the threat of separatism, considers that the strict observance of these provisions by all States members of the Commonwealth is a vital condition for an early settlement of the conflict.